

Wanczyk, Jon

From: Podesva, Jim [Jim.Podesva@york-claims.com]
Sent: Wednesday, January 12, 2005 10:45 AM
To: Linda.Young@WynnResorts.com
Cc: Jon.Wanczyk@aig.com
Subject: Walls and floor in the apartment

Linda,

I spoke with the carrier's environmental consultant about the bathroom sub floor and the hallway. Tishman was present at the reinspection.

We have confirmed that these areas remain wet. It is unlikely that they will dry out. The walls are wet within the cavity and the floor is wet on the second layer of plywood. The only way to dry the second layer is to remove the first. When you remove the first layer, you damage the second.

We concur that these areas should be removed.

Please pass this on to Sean and Tishman and call me should you have any questions.

JEP

James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
125 High Rock Avenue
Saratoga Springs, NY 12866
518-306-3730

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Wanczyk, Jon

From: Podesva, Jim [Jim.Podesva@york-claims.com]
Sent: Thursday, January 20, 2005 10:30 AM
To: Young, Linda
Cc: Jon.Wanczyk@aig.com; Dan.krolikowski@aig.com
Subject: Wynn Resorts

Linda,

As you know, the apartment was reinspected on Monday. I have a verbal report from my consultant and I can confirm that we agree with the scope of work for the apartment. The estimate appears high, but we are working with Tishman on this. We have acknowledged that some of our numbers need to come up, and Tishman has agreed to sharpen their pencil and look at a few other items.

We have documented the extent of the damage. As far as I am concerned, the work can begin as long as we agree to work on the prices. This way the work can be performed in time for the Wynn's planned trip.

JEP

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LEX 000044

Wanczyk, Jon

From: Podesva, Jim [Jim.Podesva@york-claims.com]
Sent: Friday, January 21, 2005 12:44 PM
To: Young, Linda
Cc: Jon.Wanczyk@aig.com
Subject: RE: Payment of Claim 421-004208 and 648-007687 policy number 1374229

Linda,

We will certainly keep an eye on things. But we are actually working to have an agreed price before the reconstruction work begins. It will be necessary to go over the specialty materials that were there – mostly the finishes and Pat Hauzerman is trying to chase those records down. The basics like the drywall, electrical, etc. should be straight forward. We are working on these as we speak.

We need to convey to Tishman that this is not a blank check. I'm sure that they already know that, but we will be reminding them.

Is Mrs. W still thinking of doing a complete remodel of the remaining apartment?

We should continue to press Tishman to provide this information as soon as possible so that the price can be agreed as necessary. We will do our part, and any help you can give would be appreciated.

JEP

James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
125 High Rock Avenue
Saratoga Springs, NY 12866
518-306-3730

From: Young, Linda [mailto:Linda.Young@wynnlasvegas.com]
Sent: Friday, January 21, 2005 10:26 AM
To: Wanczyk, Jon; Podesva, Jim
Cc: patrick.mcginley@willis.com
Subject: RE: Payment of Claim 421-004208 and 648-007687 policy number 1374229

Thank you very much.

Jim, I am looking at your assistance with monitoring the charges from Tishman. You have been great so far, but please continue. If you see something on there where you feel insurance won't pay, please let me know asap.

Thank you again.

-----Original Message-----

From: Wanczyk, Jon [mailto:Jon.Wanczyk@AIG.com]
Sent: Friday, January 21, 2005 4:24 AM
To: 'Podesva, Jim'; Young, Linda
Cc: patrick.mcginley@willis.com; Wanczyk, Jon
Subject: RE: Payment of Claim 421-004208 and 648-007687 policy number 1374229

Linda,

I would just need a direction to pay letter on your letter head with the name of a payee and their address. Please, note I will be sending two checks to represent the extent of our responsibility once it is determined. File 421-004208 represent the 75% share of Lexington insurance company and file 648-007687 represents the 25% share of Allied World Assurance co/ New Market Underwriters.

This would be done after a Proof of Loss is signed and a subrogation receipt is received due to the possible action against a third party.

ATTACH TO FILE

Page 1 of 3

Aratto, Maureen

From: Patrick McGinley [patrick.mcginley@willis.com]
Sent: Tuesday, August 16, 2005 11:08 AM
To: Podesva, Jim
Cc: linda.young@wynnlasvegas.com
Subject: Re: FW: Wynn Apartment

Jim,

Mr. Wynn has requested his attorney to review the entire matter, hopefully they will pursue the matter further with the building management. Linda and I are awaiting updates.

Thanks

"Podesva, Jim" <Jim.Podesva@york-claims.com>

08/16/2005 10:51 AM EDT

To: Patrick McGinley/Rad/JS/WCG@WCG
cc:
bcc:
Subject: FW: Wynn Apartment

This is what I heard back from the inspector. I was not aware that the attorney was going. I have not heard from their office in a very long time. Do you know what is going on with that?

JEP

James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
125 High Rock Avenue
Saratoga Springs, NY 12866
518-306-3730

From: Peeke, Richard [mailto:Richard.Peeke@AIG.com]
Sent: Tuesday, August 16, 2005 10:18 AM
To: Podesva, Jim
Subject: RE: Wynn Apartment

Hi Jim,
Inspection went fine. The involved areas have not yet been repaired. I was greeted by the housekeeper, Maria and an attorney and intern from the Insured's NY law office.
I'll be in here in Long Island this week and don't have the file with me, but I do not believe I need anything further. Thanks for your help. Hope you enjoyed your vacation.

-Dick

8/16/2005

LEX 000206

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-----Original Message-----

From: Podesva, Jim [mailto:Jim.Podesva@york-claims.com]

Sent: Tuesday, August 16, 2005 9:52 AM

To: Leke, Richard

Subject: Wynn Apartment

Dick,

How did the inspection go? Did you get everything you needed? Do you need anything else from me?

JEP

James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
125 High Rock Avenue
Saratoga Springs, NY 12866
518-306-3730

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8/16/2005

LEX 000208

Wynn Apartment - Mold Issue

Page 1 of 2

Podesva, Jim

From: Podesva, Jim
Sent: Thursday, December 15, 2005 9:41 AM
To: 'jbrown@hillmannngroup.com'
Cc: Podesva, Jim; 'Brandenburg, Arthur'
Subject: FW: Wynn Apartment - Mold Issue

Ms. Brown,

Per my call with Ms. Serrano, I am sending the information needed to arrange a reinspection of the apartment.

I will try and send the other report for your review.

JEP

James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
340 Broadway, 3rd Floor
Saratoga Springs, NY 12866
Tel: 973-404-1076
Fax: 518-226-6042

From: Young, Linda [mailto:Linda.Young@wynnlasvegas.com]
Sent: Wednesday, December 14, 2005 4:55 PM
To: patrick.mcginley@willis.com; trendler_mf@willis.com; Podesva, Jim; Pat Hauserman; Klimek, Sean
Subject: Wynn Apartment - Mold Issue

I just received a phone call from Barry Slotnick stating that if anyone wishes to do a reinspection of the apartment, they must coordinate entry via the architect doing the remodel. The contact information is as follows:

David Silverman
Loffredo Brooks Architects P.C.
118 West 22nd Street - 4th Floor
New York, New York 10011

T - 212.679.7729
F - 212.725.8914

The other contact at the above architect firm is Frank Loffredo - same contact information.

Mr. Slotnick further advised that an inspection would have to be done immediately, as he cannot stop the demolition of the apartment.

I am also including phone numbers for Barry and Stuart Slotnick

Barry - 212.440.4444
Stuart - 212.440.4435

Thank you.

1/5/2006

LEX 000209

Wynn Apartment - Mold Issue

Page 2 of 2

Linda Young - Insurance Manager
p. 702.733.4811 / f. 702.697.5056
linda.young@wynnresorts.com

1/5/2006

LEX 000210

Message

Page 1 of 2

Podesva, Jim

From: Jennifer Brown [jbrown@hillmanngroup.com]
Sent: Thursday, December 15, 2005 10:53 AM
To: Podesva, Jim
Subject: RE: Mold Report re: 817 Fifth Avenue - 7th Floor, New York, N.Y.

Mr. Podesva:

Is there a report associated with the results. If you would like, we can do a site inspection tomorrow in the afternoon. Please contact me on my cell phone (908-377-5641) if this works for all parties.

Thank you,

Jennifer Brown

From: Podesva, Jim [mailto:Jim.Podesva@york-claims.com]
Sent: Thursday, December 15, 2005 9:48 AM
To: Jennifer Brown
Subject: FW: Mold Report re: 817 Fifth Avenue - 7th Floor, New York, N.Y.

Here is the test data performed last month by a firm hired by the insured.
James E. Podesva, RPA
York Insurance Services, Inc.
Specialized Loss Adjusting Division
340 Broadway, 3rd Floor
Saratoga Springs, NY 12866
Tel: 973-404-1076
Fax: 518-226-6042

From: Young, Linda [mailto:Linda.Young@wynnlasvegas.com]
Sent: Wednesday, December 14, 2005 1:00 PM
To: patrick.mcginley@willis.com; Podesva, Jim; Pat Hauseman; Klimek, Sean
Cc: Slotnick, Stuart
Subject: FW: Mold Report re: 817 Fifth Avenue - 7th Floor, New York, N.Y.
Please see email and report that I just received from Mr. Stuart Slotnick, Esq. As each of you are aware, Mr. Slotnick has been retained by Mr. Wynn with regard to the water damage claim that occurred on 12/9/04 at his New York apartment. Please review and let's discuss as soon as possible.
Thank you.

Linda Young - Insurance Manager
p. 702.733.4811 / f. 702.697.5056
linda.young@wynnresorts.com

—Original Message—

From: Slotnick, Stuart [mailto:slotnicksp@bipc.com]
Sent: Wednesday, December 14, 2005 9:32 AM
To: Young, Linda
Cc: Slotnick, Barry
Subject: Mold Report re: 817 Fifth Avenue - 7th Floor, New York, N.Y.

1/5/2006

LEX 000211

Message

Page 2 of 2

December 14, 2005

VIA EMAIL

Dear Linda,

It was a pleasure speaking to you this morning.

Attached please find the laboratory reports revealing the presence of toxic mold in Mr. Wynn's 817 Fifth Avenue apartment.

Please notify the appropriate insurance carriers and parties of the same.

I look forward to speaking to you soon.

Stuart Slotnick

Buchanan Ingersoll PC

(212) 440-4435

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1/5/2006

LEX 000212